

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A biopsy instrument having a proximal end and a distal end, comprising:

a distal assembly for performing a surgical operation;

an elongate flexible member connected to and extending in a proximal direction from the distal assembly, the elongate flexible member including an irrigation conduit and an aspiration conduit; and

a proximal actuation handle coupled to a proximal end of the flexible member, the proximal actuation handle including an irrigation port in fluid connection with a proximal end of the irrigation conduit, the irrigation port for fluid connection to a fluid source, and an aspiration port in fluid connection with a proximal end of the aspiration conduit, the aspiration port for fluid connection to a suction device,

wherein the distal assembly includes a first jaw and a second jaw pivotable relative to the first jaw, the irrigation conduit leading to and in fluid communication with the first jaw, and the aspiration conduit leading to and in fluid communication with the second jaw.

2. (Original) The biopsy instrument of claim 1 further including a control member connected to and extending in a proximal direction from the distal assembly, and the proximal actuation handle further including an actuator coupled to a proximal end of the

TECHNOLOGY CENTER R3700

JAN 27 2004

RECEIVED

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

control member, the actuator for manually actuating the control member and the distal assembly.

3. (Cancelled).

4. (Currently Amended) The biopsy instrument of claim [[3]] 1 wherein the distal assembly forms a fluid passageway between the irrigation conduit and the aspiration conduit.

5. (Original) The biopsy instrument of claim 2 wherein the elongate flexible member includes a control conduit through which the control member extends.

C1
6. (Original) The biopsy instrument of claim 1 wherein the irrigation port and the aspiration port include Luer lock attachments.

7-85. (Cancelled).

86. (New) The biopsy instrument of claim 2, wherein the control member is connected to the second jaw.

87. (New) The biopsy instrument of claim 1, wherein the first jaw is movable and the second jaw is stationary.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

88. (New) The biopsy instrument of claim 1, wherein the first jaw is stationary and the second jaw is movable.

01

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com